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7 Attorney for Defendant
8 Jose M. Lopez Orduno
9

10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF WASHINGTON
12 The Honorable Stanley A. Bastian
13

14 United States of America,

15 Plaintiff,

16 v.

17 Jose M. Lopez Orduno,

18 Defendant.

Case No. 4:20-CR-6002-SAB

**Motion to Continue Trial and
to Set a New Pretrial
Conference and Related Trial
Deadlines**

**Without Oral Argument
February 6, 2020, 6:30 p.m.**

19 The Defendant Jose M. Lopez Orduno hereby moves this Court to
20 continue the trial in his case, and to set a new date for a pre-trial
21 conference, and related deadlines, including pre-trial motions and
22 expert disclosures. Mr. Orduno first appeared on a criminal complaint
23 on December 20, 2019, after which the undersigned was assigned to
24 represent him. An indicted was filed in this case on January 7, 2020.
25 Mr. Orduno appeared for arraignment on January 10, 2020. Counsel

Motion to Continue and Set Deadline: 1

1 for Mr. Orduno received discovery on January 17, 2010. On January
2 22, 2010, the Court issued an order setting a motions deadline of
3 January 23, 2020, and scheduled a pre-trial conference for February 6,
4 2020, and a trial date of March 16, 2020.
5

6 Mr. Orduno, who is in custody following a detention hearing,
7 acknowledges that any continuance would be excludable for purposes of
8 the Speedy Trial Act, and a signed waiver of speedy trial rights will be
9 filed forthwith. Defense counsel has contacted Assistant U.S. Attorney
10 Stephanie A. Van Marter regarding this motion, and the Government
11 has no objection to the request. The instant motion constitutes Mr.
12 Orduno's first request for an adjournment.
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15 The reason for the request is because more time is needed to
16 continue reviewing discovery, to identify any further areas where
17 disclosure is warranted, to review discovery that has not yet been
18 produced, to discuss and review all such material with Mr. Orduno, to
19 conduct any necessary investigation, to prepare potential motions to
20 suppress as well as other possible motions, and to prepare for trial. In
21 addition, Mr. Orduno, who requires the assistance of an interpreter,
22 also requires time to discuss with counsel the advisability of proceeding
23
24
25

1 to trial and motions practice. All of these tasks will take a significant
2 amount of time, and cannot be accomplished along the current time
3 schedule. More time is also needed to assess the import of Mr. Orduno's
4 co-defendant, her culpability, if any, and the need to sever a trial for
5 Mr. Orduno from her and any related counts. If convicted of the
6 charged counts, Mr. Orduno faces a mandatory minimum of ten years'
7 imprisonment, thus warranting time and caution in our approach to
8 resolution and trial.
9

10
11 Mr. Orduno therefore respectfully requests that the Court
12 continue the trial date to a date in July 2020, and set a new date for a
13 pre-trial conference perhaps in late-June 2020, and related deadlines,
14 including pre-trial motions and expert disclosures, accordingly.
15

16
17 Dated: February 3, 2020.
18

19 By s/ Jeremy B. Sporn
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Certificate of Service

I hereby certify that on February 3, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Stephanie A. Van Marter, Assistant United States Attorney.

s/ Jeremy B. Sporn
Jeremy B. Sporn